

SEP 22 2014

UNIVERSITY OF NORTHERN IOWA
AND
AFSCME/IOWA COUNCIL 61
LETTER OF AGREEMENT

HUMAN RESOURCE
SERVICES

The University of Northern Iowa (UNI), hereinafter Employer, and the American Federation of State, County, and Municipal Employees (AFSCME) Iowa Council 61, hereinafter Union, enter into the following agreement in full and final resolution of the grievance filed on behalf of Diane Tournier, hereinafter Grievant, AFSCME No. 117971, alleging a violation of Article XI, Section 11 (Performance Evaluation) and Article IV, Section 9 (Discipline & Discharge) of the 2011-2013 Collective Bargaining Agreement (CBA) between the parties.

This agreement arose out of a situation where a performance appraisal was alleged to be unfair and partial. The Parties agree to the following:

1. The Employer shall remove the sentence from the Job Performance section of the May 2013 appraisal about a letter of complaint received on 10/25/12 and the appraisal will be reprinted.
2. The reprinted appraisal will replace the original appraisal in the Grievant's HRS personnel file.
3. In consideration of the foregoing, the Union will withdraw the above referenced grievance.
4. This Agreement is a good faith settlement of all issues identified as part of the aforementioned grievances. No promises for any other or future consideration has been made by anyone. The above consideration is all that will be received for the Grievant's claims in the grievances.
5. The terms of this settlement agreement are considered by the parties to pertain only to the specific facts involved in this matter. Neither party shall rely on this agreement or cite the same as precedent in any grievance, arbitration, litigation, or other proceeding in the future.
6. This settlement is subject to Executive Order 85 and must be approved by the Executive Director of the Board of Regents and the President of the University of Northern Iowa and reviewed by the Attorney General or his designee. This settlement shall become effective once it has received all necessary approvals and review. Once in effect it shall be posted to the Board of Regents website.
7. This settlement agreement is subject to Open Records and is available for public inspection and copying.

Documented this 26th Day of August 2014.

FOR THE EMPLOYER:

Michelle Byers 9-22-14
Michelle Byers Date
Director, Human Resource Services
UNI

Kent Johnson 9/23/14
Kent Johnson Date
Dean of Continuing Education & Special Programs
UNI

FOR THE UNION:

Robin White 9/11/14
Robin White Date
Staff Representative
AFSCME Council 61

Cathy Pearson 8/28/14
Cathy Pearson Date
Chief Steward
Local 2659

Governing Iowa's public universities and special schools

University of Iowa
Iowa State University
University of Northern Iowa
Iowa School for the Deaf
Iowa Braille and Sight Saving School
Lakeside Laboratory Regents Resource Center
Northwest Iowa Regents Resource Center
Quad-Cities Graduate Center
Southwest Iowa Regents Resource Center



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Executive Order Number Eighty-Five Routing/Review Approval of Personnel Settlement Agreement

Please sign/date where indicated below noting the approval or denial of the attached proposed Personnel Settlement Agreement. ****After signing, please return to the attention of BOR – General Counsel.**** If "denied," please return to BOR – General Counsel.

In the matter of: AFSCME Grievance #117971 – Diane Tournier

Institutional Staff: Michelle Byers, UNI

Office of the Attorney General

Reviewed by (Print Name): Diane M. Stahle
Reviewer's Signature: *Diane M. Stahle*
Date: 8/6/14 4:00pm Reviewed: Redacted:

Institution: University of Northern Iowa
Institutional Head's Printed Name: WILLIAM N. RUUD
Institutional Head's Signature: *William N. Ruud*
Date: 08/18/2014 Approve: Deny:

Board of Regents

Executive Director's Printed Name: Robert Donley
Executive Director's Signature: *Robert Donley*
Date: 8.18.14 Approve: Deny: